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09/558,031	04/25/2000	Thomas Alan Sponheim	MS147303.1	9355

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EXAMINER
ALI, SYED J

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

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Office Action Summary	Application No. 09/558,031	Applicant(s) SPONHEIM ET AL.
	Examiner Syed J Ali	Art Unit 2127

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 April 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "the server" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-5, 11, 14-15, 18-20, 24, 27-28, 30-32, 35, 37-38, and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Bloomfield (USPN 6,370,552).

As per claim 1, Bloomfield discloses a system for retrieving data, comprising:

a client device programmed to create a communications channel in response to selecting an element displayed on a page and to communicate information about the element via the communications channel, the client device displaying on the page information based on response data received via the communications channel (col. 2 lines 25-45, "a method for displaying an executing application in an HTML page begins by receiving an input from a user...and a communication channel to the applications window in the HTML page is created. The output of the application program, which is executing on the server, is displayed in the applications window via the communications channel").

As per claim 2, Bloomfield discloses the system of claim 1, wherein the client device is programmed to create a container on the page in response to the element being selected, the container being used to display the information based on response data received via the communications channel (col. 6 lines 14-34, "the connections manager 80 places each of the required protocol drivers 120, 120', 120'', corresponding to the requested client protocols...into the protocol stack 'container' 112 and links them together").

As per claim 3, Bloomfield discloses the system of claim 1, wherein the response data received via the communications channel programs the client device dynamically to display the information on the page (col. 6 line 59 – col. 7 line 3, "a viewing user runs a Web browser on a client node and makes file requests via the HTTP protocol to servers. The servers respond by

transmitting file data to the client via the HTTP protocol. The Web browser run on the client

receives the transmitted data and displays the data as an HTML page to the viewing user").

As per claim 4, Bloomfield discloses the system of claim 3, wherein the response data

received via the communications channel dynamically programs the client device to at least one

of copy and transfer at least some of the response data to a container for displaying the

information based on the at least some of the response data on the page relative to the selected

element (col. 7 lines 53-63, "The server 34 hosting the HTML file 64 transmits the HTML file

64 data to the browser application 60, which displays text and translates any tags that are

included in the HTML file").

As per claim 5, Bloomfield discloses the system of claim 4, wherein the client device is

programmed to create the container on the page in response to the element being selected (col. 6

lines 14-44, "the connections manager 80 places each of the required protocol drivers 120, 120',

120'', corresponding to the requested client protocols...into the protocol stack 'container' 112

and links them together. This dynamic process allows a client node 24 to specify the contents of

a protocol stack dynamically without requiring that the server 34 have a prior protocol stack

description for a particular client node").

As per claim 11, Bloomfield discloses the system of claim 1, wherein the information

about the element includes at least one of a uniform resource locator and metadata associated

with the displayed page (col. 7 lines 53-63, "The browser application 60 accesses the HTML file 64 by issuing a request to a specific Uniform Resource Locator").

As per claims 14-15, 18-20, 24, 27-28, 30-32, 35, 37-38, and 45, similar limitations are recited as those of claims 1-5 and 11 that have been discussed above. Specifically, a computer readable medium, method, and computer programmed to implement the system of claims 1-5 and 11 is disclosed. That is, Bloomfield discusses in the "Background" section that the system disclosed therein is applicable to the use of HTML documents in a Web browser, and on a computer network, as well as discussing how a computer programming language, i.e., Java, is used. Therefore, it is inherent in the disclosure of Bloomfield that a computer readable medium must exist to implement the system disclosed. Furthermore, claims 1-8 of Bloomfield claim a method that implements the system of claims 1-5 and 11. Therefore, the discussion of claims 1-5 and 11 forms the basis for rejection of the present claims as well.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 6 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield in view of Guedalia (USPN 6,356,283).

As per claim 6, Bloomfield does not specifically disclose the system of claim 5, wherein the container is positioned adjacent to the selected element.

Guedalia discloses the system of claim 5, wherein the container is positioned adjacent to the selected element (col. 19 lines 17-29, "when the user clicks on the boundary of a sub-region, the location clicked upon is strictly within the image portion displayed in response, making it easy for the user to relate the response image to the previous image").

It would have been obvious to one of ordinary skill in the art to combine Bloomfield and Guedalia since positioning the container adjacent to the selected item, as suggested by Guedalia, would allow the user to easily compare the received content to the selected element that it is generated in response to. In that sense, the content is delivered in a way that intuitively allows comparison between the two elements sought to be compared. For example, if a user were to click on a particular element of a page that was unclear, being able to view the received content in context with the original content would facilitate the user's ability to understand what is being displayed.

As per claim 21, similar limitations are recited as those of claim 6 that has been discussed above. Specifically, a computer programmed to implement the system of claim 6 is not patentably distinguishable therein. Therefore, the discussion of claim 6 forms the basis for rejection of the present claim as well. Furthermore, the motivation for combining the Bloomfield and Guedalia references has been provided in reference to claim 6.

7.   Claims 7-9, 13, 16-17, 22, 26, 29, 33, 36, 39-43, and 46 are rejected under 35 U.S.C.

103(a) as being unpatentable over Bloomfield in view of Cordell (USPN 6,031,989).

As per claim 7, Bloomfield does not specifically disclose the system of claim 5, wherein

the information displayed in the container further includes selectable container elements.

Cordell discloses the system of claim 5, wherein the information displayed in the

container further includes selectable container elements (col. 14 line 51 – col. 15 line 12, "if a

client network application recognizes the reference tag...at step 114, the attributes contained in

the reference tag are used to layout and display any nested documents at step 116", wherein the

container that is displayed is capable has selectable elements that create new containers, thus

having a number of nested documents).

It would have been obvious to one of ordinary skill in the art to combine Bloomfield with

Cordell since Cordell provides the added benefit of being able to nest documents within

containers. Specifically, if an element is selected on a page, and content is delivered pertaining

to that element, it may be insufficient to fully satisfy the user's desire for more information

relating to that element. By allowing the container to include selectable elements, the content

can be further clarified, thus achieving a higher degree of usability.

As per claim 8, Bloomfield discloses the system of claim 7, wherein, in response to

selecting at least one container element, the client device is further programmed to communicate

via the communications channel information about the at least one container element (col. 4 lines

49-65, "the client process 56 on client node 24 makes a request 54 to the network master

information node 40 to obtain the address of a server node 34 which includes the desired

application", "The client node 24 uses the returned address to establish a communications

channel 68 with the server 34").

As per claim 9, Cordell discloses the system of claim 1, wherein the communications

channel is an inline floating frame programmed to access a resource on the server (col. 7 line 22

– col. 8 line 4, "A HTML tag pair <IFRAME></IFRAME> is a new reference tag used to

provide the method 56 described above, where <IFRAME> designates the beginning of a

'reference tag' or a beginning reference tag marker...and </IFRAME> designates the end of the

reference tag", wherein <IFRAME> is a tag used within HTML to deliver content within

containers and is well known in the art).

As per claim 13, Cordell discloses the system of claim 1, wherein the displayed page

further includes a plurality of selectable elements and the selected elements includes at least one

of the selectable elements (col. 14 line 51 – col. 15 line 12, "if a client network application

recognizes the reference tag...at step 114, the attributes contained in the reference tag are used to

layout and display any nested documents at step 116", wherein the container that is displayed is

capable has selectable elements that create new containers, thus having a number of nested

documents).

As per claims 16-17, 22, 26, 29, 33, 36, 39-43, and 46, similar limitations are recited as those of claims 7-9 and 13 that have been discussed above. Specifically, a computer readable medium, method, and computer programmed to implement the system of claims 7-9 and 13 is not patentably distinguishable therein. Therefore, the discussion of claims 7-9 and 13 forms the basis for rejection of the present claims as well. Furthermore, the motivation for combining the Bloomfield and Cordell references has been provided in reference to claim 7.

8.   Claims 10, 23, 34, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield in view of Cordell in view of Andersen (USPN 6,363,398).

As per claim 10, the modified Bloomfield does not specifically disclose the system of claim 9, wherein the resource on the server is an Active Server Page associated with a database.

Andersen discloses the system of claim 9, wherein the resource on the server is an Active Server Page associated with a database (col. 3 line 50 – col. 4 line 16, "The applet can pass a database query to the active server page on a server computer by including the database query within the URL by which the applet addresses the active server page").

It would have been obvious to one of ordinary skill in the art to add Andersen to the combination of Bloomfield and Cordell since ASP provides a technique that allows remote execution of applets as well as database retrieval while maintaining security and efficiency. By allowing remote procedure calls, download time can be saved for users with dialup connections, as well as protecting all users from security breaches by not allowing a program to execute on the user machine.

As per claims 23, 34, and 44, similar limitations are recited as those of claim 10 that has been discussed above. Specifically, a computer readable medium, method, and computer programmed to implement the system of claim 10 is not patentably distinguishable therein. Therefore, the discussion of claim 10 forms the basis for rejection of the present claims as well. Furthermore, the motivation for combining the Bloomfield and Cordell references with Andersen has been provided in reference to claim 10.

9.   Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield in view of Andersen.

As per claim 12, Bloomfield does not specifically disclose the system of claim 1, wherein the selected element includes at least one word.

Andersen discloses the system of claim 1, wherein the selected element includes at least one word (col. 3 line 50 – col. 4 line 16, "The applet can pass a database query to the active server page on a server computer by including the database query within the URL by which the applet addresses the active server page", wherein a database query could be construed as a data word).

It would have been obvious to one of ordinary skill in the art to add Andersen to Bloomfield since ASP provides a technique that allows remote execution of applets as well as database retrieval while maintaining security and efficiency. By allowing remote procedure

calls, download time can be saved for users with dialup connections, as well as protecting all

users from security breaches by not allowing a program to execute on the user machine.

As per claim 25, similar limitations are recited as those of claim 12 that has been

discussed above. Specifically, a computer programmed to implement the system of claim 12 is

not patentably distinguishable therein. Therefore, the discussion of claim 12 forms the basis for

rejection of the present claim as well. Furthermore, the motivation for combining the Bloomfield

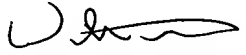and Andersen references has been provided in reference to claim 12.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Syed J Ali whose telephone number is (703) 305-8106. The

examiner can normally be reached on Mon-Fri 8-5:30, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William A Grant can be reached on (703) 308-1108. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 746-7239 for regular

communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

WILLIAM GRANT
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TECHNOLOGY CENTER 2100